



MATHIS  
MARIFIAN  
& RICHTER LTD  
ATTORNEYS AT LAW

October 25, 2018

**VIA ELECTRONIC FILING**

Michael E. Gans, Clerk of Court  
United States Court of Appeals,  
Eighth Circuit  
Thomal F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329  
St. Louis, MO 63102

Re: Horton v. Midwest Geriatric Management, LLC, Case No. 18-1104

Dear Mr. Gans:

On behalf of Plaintiff-Appellant Mark Horton (“Horton”), we respectfully request that oral argument in this matter be expedited.

Counsel for Defendant-Appellee, Midwest Geriatric Management, LLC (“MGM”) have informed the court that all three (3) of their attorneys of record in this matter are unavailable on September 24, 25, and 28, 2018; October 15-19, 2018; December 10-14, 2018; January 14-18, 2019; and March 11-15, 2019. This essentially blocks off all dates on which oral argument would occur in St. Louis, Missouri, up until the middle of April of next year. MGM’s counsel have also blocked off additional dates on which oral argument could occur in St. Paul, Minnesota.

We note that section III. J., of the Eighth Circuit’s internal operating procedures provide that oral argument in cases from Missouri, such as the instant case, are generally held in St. Louis. However, in light of the substantial unavailability of MGM’s counsel well into next year, counsel for Horton is willing to travel to locations other than St. Louis in order to expedite the scheduling of oral argument. Of course, we also remain available for all St. Louis oral argument dates on the Court’s 2018-2019 calendar.

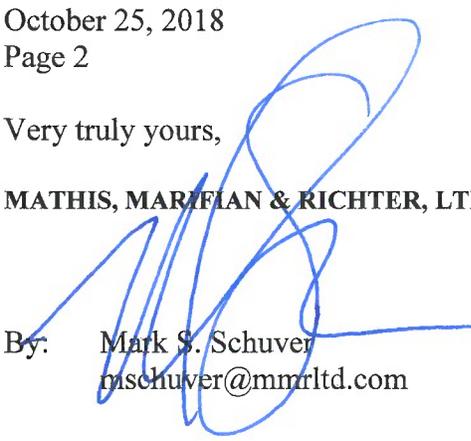
We thank you for your consideration of this request.

October 25, 2018

Page 2

Very truly yours,

**MATHIS, MARFIAN & RICHTER, LTD.**

By:  Mark S. Schuver  
mschuver@mmrltd.com